
City of Sherwood, Oregon

Planning Commission Minutes

November 27, 2012

Commission Members Present:

Chair Patrick Allen
Vice Chair Brad Albert
Commissioner Michael Cary
Commissioner James Copfer

Staff Present:

Julia Hajduk, Community Development Director
Bob Galati, City Engineer
Brad Kilby, Senior Planner
Kirsten Allen, Planning Dept. Program Coordinator

Commission Members Absent:

Commissioner John Clifford
Commissioner Russell Griffin
Commissioner Lisa Walker

Council Liaison

Councilor Krisanna Clark

Legal Counsel Present:

None

1. Call to Order/Roll Call

Chair Patrick Allen called the meeting to order at 7:00 pm.

2. Agenda Review

The agenda consisted of the Consent Agenda, a continued Public Hearing for the Pankhard Building (LA 12-01), as well as some business items that are non-hearing items; Strengths, Weaknesses, Opportunities, and Threats (SWOT) Review of Planning Commission and 2013 Goal Setting, Downtown Streetscape project update and discussion, and Downtown Parking Survey Results.

3. Consent Agenda

- a. August 28, 2012 Planning Commission Corrected Minutes
- b. November 6, 2012 Planning Commission Minutes
- c. November 13, 2012 Planning Commission Minutes

Motion: From Commissioner James Copfer to adopt the Consent Agenda. Seconded By Vice Chair Brad Albert. All Commission Members Present Voted In Favor (Commissioners Clifford, Griffin, and Walker were absent)

4. Council Liaison Announcements

Councilor Krisanna Clark noted that new Mayor elect, Bill Middleton, was present at the meeting and reminded the Commission about the Boards and Commissions Appreciation Dinner on December 19th.

5. Staff Announcements

Community Development Director Julia Hajduk informed the Commission that there will be a Cedar Creek Trail Kick-Off meeting on December 5th, from 6:30-8pm at City Hall. The purpose of the meeting is to help understand where the project is regarding scope and schedule, and to develop an interested parties list.

Julia said the Town Center Open House will be January 18, 2013 and there will be more information available at the next meeting. There will be a steering committee meeting or planning commission work session between now and then.

6. Community Comments

Eugene Stewart, 22595 SW Pine Street, Sherwood. Mr. Stewart commented regarding the minutes being up to date and thanked the Commission.

7. Old Business

a. Public Hearing- Pankhard Building (LA 12-01) *Continued from November 13, 2012*

Chair Allen re-opened the public hearing on LA 12-01 and read the public hearing statement which asked for any ex parte, bias, or conflict of interest.

Chair Allen disclosed that he was the state's Chief Banking Regulator and as such he regulated the Bank of Oswego, but he did not feel there was a conflict and he planned to participate in the hearing.

Brad Kilby, Senior Planner, gave a brief overview of the presentation given at the November 13, 2012 meeting (see record, Exhibit 1) and explained the Pankhard Building was on the corner of Railroad Street and Washington Street and the improvement would be on the southwest corner of the site at the former coffee shop. The application is for a landmark alteration to restore the entry at the corner of the building, as well as, replace a door and a window on Washington Street with a new brick veneer wall that matches the existing façade and to install an automatic teller machine (ATM) and night deposit in the new wall. The building was built in 1910, but according to the Sherwood Historical Society, the building was not occupied until 1912. Brad said that the building has housed a number of uses over time including a saloon, government offices, professional offices, and a bank. The applicant wants to restore the corner entry to the building as shown on historical photos. Brad said there was a question about lighting above the ATM, the applicant has been asked to address that issue; typically it is low lighting with the standard of ½ a candle foot off of the property.

Brad informed the Commission that the property is approximately 7800 square feet and zoned Retail Commercial. A bank is an approved use in the zone and the proposed alterations to the structure do not extend into any required setbacks or violate any other dimensional standards, because the applicant is not enlarging the structure. Staff has made a recommendation of approval with the single condition that sandblasting not be used as a technique to restore the façade of the building.

Brad commented that there was a request that the record be left open by Mr. Claus, but there was nothing submitted during that time. The premise from Mr. Claus' testimony was that there should be an elevator installed to provide access to the upstairs. Brad stated that he discussed the issue with the Building Official, who referred him to an Oregon Revised Statute (ORS), which is included in the staff memo (see record, November 27, 2012 packet, page 10). Brad said that, per the ORS, an elevator would not be required, because banking customers do not need to go upstairs. Brad said that when there is an alteration to a structure and accessibility improvements are required there is a prioritized list of accessibility improvements that have to be made such as parking, bathrooms, and entrance into the building. Brad said that the cost of improvements has to be proportional to the cost of the proposed improvements and an elevator would be outside of those proportionate costs. Brad said the Building Official did not see that there would be any justification to require an elevator for this project.

Commissioner Cary asked what would trigger the need for an elevator. Brad replied that it would probably be a major remodel on the upper floor of the building that required accessibility, but even then it has to be based on the value of those improvements. Brad said that what he remembered of his conversation with the Building Official, up to 25% of the cost of the project may be required to be spent towards bringing the project up to accessibility standards, starting with parking on the outside of the building and then on improvements to move people into the building. Brad stated that there was no proposed work on the second floor.

Brad noted that there was an assertion, by Mr. Claus, that the original safe was removed from the building, but the safe remains.

Chair Allen commented that he was also the states building safety regulator and the notion that an elevator is required in a two story building is a common misconception and private buildings are not required to have an elevator.

With no other questions for staff, Chair Allen turned the time over the applicant.

Representatives from Bank of Oswego, 22578 SW Washington Street, Sherwood Tim Heine and Bridget Smith, came forward. Mr. Heine informed the Commission that this branch was not a full service bank, but a loan production or business banking center consisting mainly of office space. Mr. Heine stated that the bank was trying to follow the City's need for economic redevelopment and had an opportunity to leave their other Sherwood location and opted to help with the redevelopment of Old Town. The bank is putting in a significant investment into the space to ensure that it is a nice looking space and there will be three employees housed in the office.

Commissioner Cary asked regarding the lighting at the ATM. Mr. Heine answered that there needs to be a certain amount of lighting to make sure it is safe for banking customers and noted that Washington Street was pitch black at night. Bridget Smith added that the architect is recommending the installation of a luminary which would shine down on the ATM and night depository and it will not be too bright. Mr. Heine added that the light will only be noticeable because of the light coming from it and it will be historically correct to enhance the value of the building.

Chair Allen commented that there was about 27 minutes remaining for applicant rebuttal and asked if anyone else desired to testify.

Eugene Stewart, 22595 SW Pine Street, Sherwood. Mr. Stewart commented that he thought it was a good project and wanted to add that the large outside doors of the bank vault had been taken off along with some brick work that contained asbestos. Mr. Stewart commented regarding the landmark alteration and the street design elements that are no longer in old town.

The applicant had no rebuttal, so Chair Allen closed the Public testimony. With no final questions the following motion was received.

Motion: From Commissioner James Copfer to approve the application for the Pankhard Building (LA 12-01) based on the applicant testimony, public testimony received, the analysis, finding and conditions in the staff report with the condition that no sandblasting be done on the exterior of the building. Seconded By Vice Chair Brad Albert.

Before the vote, Chair Allen commented regarding investment in Old Town and said he worked in old town Albany when the Savings and Loans collapsed. The Chair said that the people who live and work in an area add to its vibrancy, these kinds of office jobs are critical to the success of Old Town, and he appreciated the bank's faith and investment in the area.

All Commission Members Present Voted In Favor (Commissioners Clifford, Griffin, and Walker were absent)

8. New Business

a. Strengths, Weaknesses, Opportunities, and Threats (SWOT) Review of Planning Commission and 2013 Goal Setting

Julia informed the Commission that City Council and City Manager are moving away from the SWOT aspect and have streamlined the meeting, asking two questions.

1. What are your two or three most significant accomplishments for this past year?
2. What are your two or three major goals for 2013 as a commission?

Councilor Clark explained that the SWOT portion would be separated in the form of a business meeting from the Boards and Commissions Appreciation Dinner.

Discussion followed and the Commission decided the accomplishments were:

- Code Clean-up was 80% complete,
- Planning work regarding various projects in the Old Town Cannery District,
- Improved Public Noticing and Public Involvement - with good feedback from the public on higher profile projects.

Other items discussed were the more thorough staff reports and televised Planning Commission Meetings.

Goals for 2013 were discussed with the following goals being identified:

- Finish the Code Clean-up
- Complete the Sherwood Town Center Plan
- Find ways to maximize engagement by:
 - Making better use of technology
 - Improving public knowledge of Planning processes
 - Providing access to performance data to address anecdotal comments

Other items discussed were flexibility with the process for those who want to be engaged, tutorials on government cable access channel, and a review of the Citizen Involvement Plan. Chair Allen commented that it was up to the City Council to review the Citizen Involvement Plan.

b. Downtown Streetscape project update and discussion

City Engineer, Bob Galati gave an update on the Downtown Streetscape Project and stated there has been public outreach through updates to SURPAC, public meetings to answer business owner's questions, and now the Planning Commission with the final design parameters and some final decision points before going to bid.

Bob referred to the information in the packet and stated that the drawings show an artist's rendering of both Railroad Street and Washington Street. This project builds upon the previous two projects which were Phase I and the Cannery Street Project. Bob said each project has gotten a little bit better each time as we have corrected some structural design elements that were not quite working.

Bob said that the sidewalk on Railroad Street, in front of the businesses, will be widened an extra four feet to turn it into more of a *paseo*, where the businesses can spill out and use the area for restaurant seating, or displays, and the like and still have a fully functional, full width sidewalk. The railroad side of Railroad Street will be cleaned up and Washington Street will be similar to what was done on Pine Street and Columbia Street.

Bob commented that there will be two different types of trees; a Zelkova and an Autumn Gold Gingko Baloba. The Zelkova matches what was done with the cannery project: a nice green, columnar type tree which will go along the railroad street side. On the paseo side we wanted something that was more of a canopy type of tree that would grow up and cover the paseo. The Autumn Gold Gingko Baloba would not get in the way of being able to see the store fronts because it has a higher canopy and the spacing of the trees will allow the canopies to overlap, so it will be a pleasant place to sit in the summertime. Bob conveyed that he wanted everyone on board regarding the concept of the tree selection and to understand that it was to enhance the area so businesses could use the area and the City can utilize it for events like the Cruise In. Bob clarified that the Gingko will extend the full width of the north side of Railroad Street, between Pine and Main, but the Zelkova would be used on Washington Street and the south side of Railroad Street.

Chair Allen asked if the zero elevation curbs would be continued. Bob replied that the zero elevation curbs posed drainage and parking issues, so a rolled curb with a 3" lift, similar to the ones used near the cannery, will be used. The sidewalk will still have the blue pebble look and the blue street lights will remain. Bob explained that he had conferred with the Council regarding the lights and the Council voted to continue with the lights to remain consistent.

Bob stated that the other element of the design was the alleyway improvements, between Pine Street and Main Street, and he was pleased that these were within the scope of the budget.

Bob said there were a couple of different options for the alley and the design is the least expensive option, but it is the option that fits in the budget. The design uses a concrete border on either side with an asphalt surface with transition asphalt to the grade for the businesses outside of that area, where feasible. The City would be moving all of the pedestals underground for telephone and electrical, with the gas meters being relocated to the side of the buildings, where possible. What is shown in the packet is what people would be looking at once it was done. Bob said the business owners requested alleyway lighting between Pine and Washington. This will be done with lighting fixtures mounted to the building that would throw light down. Bob said this is what the City is recommending and said now would be the time to add input.

Chair Allen asked if this would require land use action by the Commission. Julia commented that, as part of public outreach, Bob was trying to get feedback from a variety of interests and while the Commission's thoughts regarding Old Town design standards had some weight, it is not a land use decision. Discussion followed with many of the Commissioners reacting positively, but asking if the fixtures could be more consistent with either the lighting that was already present in Old Town or be more period correct.

Chair Allen asked regarding purchasing and ownership of the lights. Bob responded that it would be the City.

Commissioner Cary commented regarding the widening of the sidewalk on Railroad Street and asked who would be responsible for the trees. Bob answered that the City would be responsible. Mr. Cary asked if the business owners would be permitted to change the awning size. In the old town overlay standards it states that they awning be proportionate to the façade.

Chair Allen commented that the Ginkgo was a striking tree in the fall.

Julia asked for the next steps in the process.

Bob stated that the next steps were to go out to bid in the next week, and the lighting issue can be fixed with a change order, because the bidding process is several weeks long. Bids will be opened December 17th, and release the contractor to start construction mid-January, with a mandatory completion before Cruise In in early June 2013. Coordination will be continued with all of the business owners and the walking distance to the business entrances will not be more than ½ a block so they can remain viable during the construction process. We will have more public meetings as construction occurs and the contractor will have direct contact with owners so we can resolve issues immediately. As the City Engineer, Bob is the contact for this project.

Bob added that the city is working with business owners who want to add a trash enclosure for all of the business owners and if they can identify an area within each of the blocks that they all agree on that item will come before the Commission. Bob commented that it will include all of the owners or the trash enclosures cannot be done.

c. Downtown Parking Survey Results

Bob Galati informed the Commission that the parking study was a condition that was placed on the Community Center development where the City was required to provide a limited study that shows the utilization of parking in the existing downtown area. Bob stated the City hired a consultant to do a parking study to provide information on existing conditions; taking into account both on street and public off street parking and not including private lots. Bob explained that private lots would include parking lots similar to lots at Symposium Coffee or Attrell's Funeral Home. The study area was between Oak Street and Park Street, 3rd Street to Willamette. The parking lot at Stella Olsen Park was initially included, but was not included in the final report because it was not within walking distance of the Old Town businesses.

Bob stated that the overall number of spaces within the downtown parking area is 515 spaces. The analysis looks at utilization for on street parking, separately from off street parking, and then a combined analysis of the parking overall. The combined parking analysis shows a 35.7% usage at the peak hour or a little over a third of the parking being utilized within the downtown area. That shows that there is a significant amount of additional space available.

Bob commented that another aspect of the report is parking behavior and under normal conditions you look for turnover rate: people come in, park, do their business, and leave. Bob said the City has stalls that are rated two hours and around 19% of those stalls exceed the two hour limit where people park and stay. The average parking time for everyone else is about 2 hours and 25 minutes and most are parking within the time period. Bob commented that those who exceed the parking

time limit are most likely people who are business owners or employees of businesses staying all day as they work.

Chair Allen asked if the report gave the City enough of a framework for an intern to go out and repeat the study in the future for a comparison, but not have to pay a five figure bill. Bob conceded that with the baseline and the defined area, it could be done. Chair Allen commented that the question is how the parking will be impacted once the area becomes built up and how assumptions and projections prove out. Bob agreed and stated if one wanted to do a full parking study the boundary scenario would still be valid. Chair Allen commented that in the fifteen years he has lived in Sherwood he could not remember a time, other than during an event, when parking within two parking spots of where you wanted to go was unavailable.

Commissioner Cary said he did not realize that there was so much parking in Old Town. Bob replied that it adds up to a significant amount when you include the library parking lot, the gravel lot utilized on Pine Street, and the gravel lot on Railroad Street.

Chair Allen inquired about the next meeting date. Julia stated that there were not any current planning projects scheduled for the December 11th meeting date, and the Sherwood Town Center steering committee meeting could be pushed to January 8, 2013.

Julia added that the Langer Farms Phase 7 (SP 12-05/ CUP 12-02) was not appealed to Council and the City has not heard if there was a tenant.

9. Adjourn

Chair Allen closed the meeting at 8:05 pm.

Submitted by:



Kirsten Allen

Planning Department Program Coordinator

Approval Date: 01-08-2013